Honorable Laurel E. Davis
United States Bankruptcy Judge

Entered on Docket
January 17, 2017

Victoria L. Nelson, Chapter 7 Trustee
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Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re: ELZA E. FELIX, Debtor.	Case No. BK-S-16-13165-LED Chapter 7 **ORDER GRANTING EX PARTE APPLICATION TO EMPLOY BK GLOBAL REAL ESTATE SERVICES AND AFFILIATED LOCAL BROKERAGE FIRM TO SELL CERTAIN REAL PROPERTY AND TO PAY COMMISSION PURSUANT TO 11 U.S.C. §§ 327(a) AND 328(a) AND FEDERAL RULE OF BANKRUPTCY PROCEDURE 2014** Date of Hearing: N/A Time of Hearing: N/A Judge: Honorable Laurel E. Davis

The Court has reviewed the *Ex Parte Application to Employ BK Global Real Estate Services and Affiliated Local Brokerage Firm to Sell Certain Real Property and to Pay*

Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 21][1] (the "Application")[2] filed by VICTORIA L. NELSON, the Chapter 7 Trustee appointed in the above-captioned bankruptcy case (the "Trustee"). The Application sought to employ retain BK Global Real Estate Services ("BKRES") and Apple Realty Company (the "Listing Agent"), at no cost to the estate, to negotiate with and persuade the first lienholder on the real property located at 3117 Porter Avenue, El Paso, Texas 79904-0000 (the "Property"), in which the estate has no equity, to (1) allow Trustee to sell such property at the highest price that the market will bear, (2) waive the resulting deficiency claim, and (3) pay a 11 U.S.C. § 506 surcharge to provide a carve-out for the benefit of the estate and pay all other sale expenses, including a six percent (6%) brokerage commission that will be shared equally by BKRES and the Listing Agent only upon the closing of a sale that is approved by this Court.

The Application was filed pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014.[3]

The Court reviewed the Application, the *Declaration of Victoria L. Nelson in Support of Ex Parte Application to Employ BK Global Real Estate Services and Affiliated Local Brokerage Firm to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 22], the *Declaration of Patrick Butler in Support of the Ex Parte Application to Employ BK Global Real Estate Services and Affiliated Local Brokerage Firm to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 23], the *Declaration of Jose Meza In Support of Ex Parte Application to Employ BK Global Real*

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[1] All references to "ECF No." are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.

[2] Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The Federal Rules of Civil Procedure will be referred to as "FRCP" and the Federal Rules of Bankruptcy Procedure will be referred to as "FRBP." The Local Rules of Practice for the United States Bankruptcy Court for the District of Nevada shall be referred to as the "Local Rules".

[3] Unless otherwise provided herein, all undefined terms shall have the same meaning ascribed to them in the Application.

Estate Services and Affiliated Local Brokerage Firm to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 24], the exhibits attached thereto, and all other pleadings and papers on file herein.

It appearing to the Court that the relief requested in the Application is necessary and in the best interests of the Bankruptcy Estate and its creditors, and upon consideration of the pleadings and good cause appearing,

IT IS HEREBY ORDERED that:

(1) The Application is GRANTED in its entirety; and

(2) The Trustee is hereby authorized pursuant to Sections 327(a) and 328(a) and FRBP 2014 to employ BKRES and the Listing Agent to market and sell the Property on the terms set forth in the Application; and

(3) The terms of such employment shall be as described in the Application and in the supporting Verified Statements of Patrick Butler and Jose Meza; and

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(4) Such terms of employment are approved as reasonable in accordance with Sections 328 and 330.

IT IS SO ORDERED.

Prepared and Submitted By:

CHAPTER 7 TRUSTEE

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Approved As to Form and Content
OFFICE OF THE UNITED STATES TRUSTEE

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